

REMARKS

In view of the amendments and remarks herein, the Applicant respectfully traverses the rejections and asks that they be withdrawn.

Claims 1-23 were pending. Claim 22 has been cancelled. Claims 1, 2, 8, 10, 14, 18, 19, and 23 have been amended. No new matter has been added. Reconsideration and allowance are respectfully requested for the pending claims, Claims 1-21 and 23.

Claims 1, 3-9, 11-16, 18, 20-22 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 5,043,714 to Perlman in view of U.S. Patent No. 6,044,419 to Hayek et al. "Hayek".

Claims 2, 10, 17, 19, 23

Claims 2, 10, 17, 19, 23 stand objected to for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and intervening claims. Accordingly, Claims 2, 10, 17, 19, 23 have been amended to be in independent form to include those limitations. The Applicant respectfully requests proper allowance of Claims 2, 10, 17, 19, and 23.

Claim 1

Claim 1 is patentable over Hayek and Perlman at least because the cited references fail to teach or suggest each and every feature of the claim as stated in Claim 1. For example, the cited references, alone or in combination, fail to teach or suggest the amended feature of using an indicator at approximately a middle of the line buffer.

Perlman describes a video display apparatus for providing pixel data for a raster scanned display (Col. 4, lines 8-10 of Perlman). However, as the Office Action notes "Perlman does not disclose setting an indicator in a line buffer" (Page 2, Section 4 of Office Action). Therefore, Perlman also fails to teach or suggest using an indicator at approximately a middle of the line buffer.

Hayek teaches an apparatus to send and store data to overflow memory when the data buffer is full (Abstract of Hayek). Hayek uses "fill logic 132" to determine if the buffer is full or not full of data (Col. 2, lines 60-67; Col. 3, lines 3-35 of Hayek). The fill logic looks at two states of the buffer: (1) when the buffer is full to transmit a FULL SIGNAL; and (2) when the buffer is not full to transmit a NOT FULL signal (Col. 2, lines 60-67; Col. 3, lines 3-35 of Hayek). However, Hayek does not teach or suggest that the fill logic evaluates the position of various predetermined locations in less than a full buffer, in particular, for using an indicator at approximately a middle point of the line buffer.

Claim 1 is further patentable because the amended feature to Claim 1 is part of the allowable subject matter stated in the office action. For example, the allowable subject matter stated in Claim 17 recites an indicator "at a position at approximately a midpoint of the line buffer."

For at least these reasons, Claim 1 is patentable over Hayek and Perlman, alone or in combination. The Applicant respectfully requests withdrawal of the 35 U.S.C. 103 rejection and allowance of Claim 1.

Claims 8, 14, and 18

Claims 8, 14, and 18 are patentable over the cited references because they recite features that are similar to Claim 1. In particular, those claims recite a position at approximately at a midpoint of a line buffer. Because Hayek and Perlman fail to teach or suggest this feature, the 35 U.S.C. rejection to Claims 8, 14, and 18 should be withdrawn.

Claims 3-7, 9, 11-13, 15-16, 20-21

Claims 3-7, 9, 11-13, 15-16, 20-21 either depend from Claim 1, or include a base claim with features similar to those discussed above with reference to Claim 1, and so are patentable for at least the same reasons as outlined above.

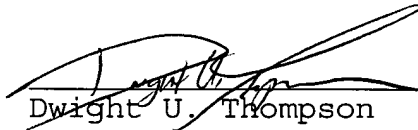
CONCLUSION

In view of the remarks and amendments herein, Claims 1-21 and 23 are in condition for allowance and a notice to that effect is respectfully solicited. The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, Applicants' arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

No fee is believed to be due at this time. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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